

EX PARTE OR LATE FILED



Federal Communications Commission
Washington, D.C. 20554

APR 14 1998

RECEIVED

APR 16 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

The Honorable Patty Murray
United States Senate
111 Russell Senate Office
Washington, D.C. 20510-4704

Dear Senator Murray:

Thank you for your letter of October 23, 1997, expressing your concerns regarding the possible health and safety risks associated with exposure to radiofrequency (RF) emissions. You refer to the Commission's proceeding (DA 96-2140) seeking comment on a Petition for Declaratory Ruling filed by the Cellular Telecommunications Industry Association, which seeks relief from certain State and local moratoria that have been imposed on the siting of commercial mobile radio services facilities, and you express concern that local governments may be hindered in their efforts to address related health issues. In WT Docket No. 97-192, the Commission has received comment on proposed procedures for reviewing requests for relief from State and local regulations that are alleged to impermissibly regulate the siting of personal wireless service facilities based on the environmental effects of radiofrequency emissions, and related matters.

Because these proceedings are still pending, we cannot comment on the merits of the issues at this time. However, I can assure you that the Commission is committed to providing a full opportunity for all interested parties to participate. Your letter, as well as this response, will be placed in the record of these proceedings, and will be given full consideration.

You ask that the Commission consult with various federal health agencies to study the health risks of cellular and other wireless communications facilities. The Commission's current RF emissions guidelines were in fact coordinated with the federal agencies with health and safety responsibilities. These agencies include the Environmental Protection Agency, the Food and Drug Administration, the National Institute for Occupational Safety and Health, and the Occupational Safety and Health Administration. Each of these agencies sent letters to the FCC supporting our guidelines. The Commission also coordinated with the Interdepartment Radio Advisory Committee and considered comments from the Department of Defense, the Institute of Electrical and Electronics Engineers, Inc., the American National Standards Institute, and the National Council on Radiation Protection and Measurements before adopting these guidelines in ET Docket No. 93-62.

The Commission has taken steps to work with State and local officials on a broad variety of issues, including the siting of personal wireless service facilities. Since implementation of the Telecommunications Act of 1996, it has been increasingly important for the Commission to understand the impact of our rules on local and State governments.

The Honorable Patty Murray

2.

We have established the Local and State Government Advisory Committee to facilitate intergovernmental communication between local and State governments and the Commission. It provides advice and information to the Commission on key issues that concern local and State governments, including control over public rights-of-way, facilities siting, and removal of barriers to entry, and communicates State and local government policy concerns regarding proposed Commission actions pursuant to the Telecommunications Act of 1996. The Committee is comprised of officials of local, state, and tribal governments. More information about this Committee, including its membership, can be found at our web site at <http://www.fcc.gov/statelocal/>.

Further information regarding the Commission's policies regarding personal wireless service facilities siting, including many of the comments in the proceedings involving personal wireless service facilities, is available on the Commission's internet site at <http://www.fcc.gov/wtb/siting>.

Thank you for your inquiry.

Sincerely,



for Steven E. Weingarten
Acting Chief, Commercial Wireless Division
Wireless Telecommunications Bureau

Enclosures

cc: CWD

j:\congress\9706985

BF Date: 97/11/26
Due Date: 97/12/04

Reply:
Closed:
Modified By: WTB

Remarks:

Subject : Physical injury from a frequency or rfd [CELLULAR]

Name: Murray, Patty
Org: United States Senate
Address1: 111 Russell Senate Office
Address2:
City: Washington, State: DC Zip: 20510

[illegible]

For more information, please contact

PATTY MURRAY
WASHINGTON

United States Senate

WASHINGTON, DC 20510-4704

October 23, 1997

COMMITTEES:
APPROPRIATIONS
BUDGET
LABOR AND HUMAN RESOURCES
SELECT COMMITTEE ON ETHICS
VETERANS AFFAIRS

WAB
PR
6985

Ms. Karen Kornbluh
Acting Director, Legislative Affairs
Federal Communications Commission
1919 M Street
Washington, D.C. 20554

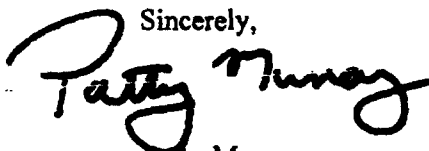
Dear Ms. Kornbluh:

As you are well aware, in August 1996, the Federal Communications Commission (FCC) issued health and safety criteria concerning exposure to cellular telephone and other radio signal transmissions. Currently, the FCC is engaged in a period of public comment regarding its intention to adopt a petition which would place severe restrictions on state and local governments who wish to establish moratoria on the filing and issuing of permits for cellular phone and other wireless communication facilities. These local governments are already hindered from addressing health concerns because of language inserted into the Telecommunications Act of 1996.

Since the Commission first issued its health criteria, I have heard from, and met with, numerous constituents from Washington state regarding this issue. Although I have consistently supported telecommunications reform, I remain concerned about the possible health risks posed by radio signal transmissions and the lack of consultation with local communities by the Commission and the wireless companies who build these towers. In order to adequately address the concerns of citizens across the country, I believe it is imperative that an independent study be conducted in consultation with various federal health agencies (i.e. EPA, FDA, OSHA) in order to identify any possible health risks posed by these towers. I urge the Commission to work with these agencies in order to fully understand the ramifications any future decisions will have on communities and families across this country.

I am well aware that no conclusive, longitudinal study exists regarding the health risks of these towers. However, this is precisely the reason I believe the federal government must take proactive steps to address the concerns raised by these citizens. I appreciate your attention to this matter and I look forward to hearing from you on this important issue.

Sincerely,



Patty Murray
United States Senator

2930 WETMORE AVENUE
SUITE 903
EVERETT, WA 98201-4107
(425) 258-8515

2988 JACKSON FEDERAL BUILDING
915 2ND AVENUE
SEATTLE, WA 98174-1003
(206) 563-6548

W. 801 1ST AVENUE
SUITE 508
SPOKANE, WA 99201-3817
(509) 624-8615

140 FEDERAL BUILDING
500 W. 12TH STREET
VANCOUVER, WA 98660-2871
(360) 696-7797

402 E. YAKIMA AVENUE
SUITE 390
YAKIMA, WA 98901-2760
(509) 453-7462

PRINTED ON RECYCLED PAPER
Internet: senator.murray@murray.senate.gov
worldwide web: <http://www.senate.gov/~murray/>